

Wednesday, December 7, 2011 10:51 AM

Subject: Re: Biles v. Fallon - Schneider Subpoenas
Date: Tuesday, December 6, 2011 8:41 PM
From: Laurence Stinson <laurence@bonnerstinsonpc.net>
To: Kristeen Hand <hand@spencelawyers.com>
Cc: Suzi Foote <suzif@bonnerstinsonpc.net>

Kristeen:

I think it would be helpful to talk. Please give me a call if you are able to do so tomorrow. I would like to know whether you are willing to work with me to explain relevance of the documents and things you are requesting, as well a less burdensome way for you to obtain the information you need. Saying, generally, that you believe your subpoena is calculated to lead to the discovery of admissible evidence is not very explanatory at all. Perhaps it is calculated to lead to admissible evidence, but without some link explaining how the information is relevant to a claim or defense in your case, it seems incredibly broad and burdensome to subject a non-party to these requests.

I need to file a motion to quash tomorrow if we cannot reach some alternative arrangement. If you are tied up during normal hours, shoot me a cell phone and I will call in the morning before the start of business. Anytime after 6 am is fine with me. Thank you.

--

Laurence W. Stinson
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From: Kristeen Hand <hand@spencelawyers.com>
Date: Mon, 05 Dec 2011 22:39:09 -0700

EXHIBIT B

To: Laurence <laurence@bonnerstinsonpc.net>
Subject: Re: Biles v. Fallon - Schneider Subpoenas

Hi Laurence — I just got your email and it's 10pm. I'm in San Diego tonight and in a deposition tomorrow. If you could please shoot me an email explaining your objections to the subpoena, that will help me understand what I might be missing and will satisfy our meet and confer obligation if you must go to the court. Again, I believe my subpoena is calculated to lead to the discovery of admissible evidence, but please explain to me your client's position so we can go from there.

Thank you -

Kristeen Hand

From: Laurence Stinson <laurence@bonnerstinsonpc.net>
Date: Mon, 5 Dec 2011 16:05:10 -0700
To: Microsoft Office User <hand@spencelawyers.com>
Subject: Re: Biles v. Fallon - Schneider Subpoenas

Please give me a call when you can.

--

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From: Kristeen Hand <hand@spencelawyers.com>
Date: Mon, 05 Dec 2011 08:42:56 -0700

To: Laurence <laurence@bonnerstinsonpc.net>
Cc: Suzi Foote <suzif@bonnerstinsonpc.net>, Dan Fleck <fleck@spencelawyers.com>, Lene Jordan <jordan@spencelawyers.com>
Subject: Re: Biles v. Fallon - Schneider Subpoenas

Good morning Laurence,

Ms. Fallon's deposition was sealed at the time she was deposed. I believe I've explained to you our basis and need for the subpoenaed information, but I may not be understanding your clients' position. Is it their position they never communicated with Ms. Fallon by phone or email regarding the allegations in the Bile's complaint or the Biles lawsuit or regarding Jimmie Biles? Do they contend they never gave Ms. Fallon money? If that's what I'm missing, please advise.

As for the computers responsive to subpoena, we have an expert in computer forensics and he could travel to Cody/Billings to take mirror images of the hard drives for us and provide you a copy.

Let me know your client's position and basis for their objection to the subpoena. I'm traveling today for an expert deposition tomorrow, but I should be able to check email — thank you.

Kristeen Hand

From: Laurence Stinson <laurence@bonnerstinsonpc.net>
Date: Fri, 2 Dec 2011 19:34:58 -0700
To: Microsoft Office User <hand@spencelawyers.com>
Cc: Suzi <suzif@bonnerstinsonpc.net>, Dan Fleck <fleck@spencelawyers.com>, Lene Jordan <jordan@spencelawyers.com>
Subject: Re: Biles v. Fallon - Schneider Subpoenas

Kristeen,

Thanks for your email. I am not aware what Ms. Fallon says regarding calls, finances, or communications with Schneider's. If you wish to send me her testimony I will review and perhaps that will aide my understanding of the relevance of the items you request. I have read the complaint and answer. Your email does not help me understand the relevance between the Biles v. Fallon suit and of many the things you request, such as production of the Schneiders' computers and broad based requests for private financial records. For example, and assuming information contained on memory devices within the computers was relevant to your lawsuit, there is a way to produce such information without producing the actual computers. If you are willing consider reducing or limiting the scope of your requests and offering kan explanation on relatedness and relevance, let me know. If so, a phone conversation would be helpful. Thank

you.

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Information is confidential and privileged. Please notify us if you receive this message by mistake. Sent from my iPad.

On Dec 2, 2011, at 6:22 PM, Kristeen Hand <hand@spencelawyers.com> wrote:

Laurence -

We are in receipt of your letter. Let me address the issues you raised. Dr. Schneider agreed to accept service for his wife at the time he was served. As for the relationship to the Biles v. Fallon suit, I'm sure the Schneider's have filled you in on their relationship with Ms. Fallon. The Schneiders have been in communication (computer drafted letters/documents and emails, and use of cell phones and business phones) with Ms. Fallon in Indiana regarding the defamation of Dr. Biles. The Schneiders have also provided funds to Ms. Fallon which were used to defame Dr. Biles. We appreciate your understanding of our need for the information. Thank you -

M. Kristeen Hand
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hand@spencelawyers.com

From: Suzi <suzif@bonnerstinsonpc.net>
Date: Fri, 2 Dec 2011 16:44:59 -0700
To: Microsoft Office User <hand@spencelawyers.com>
Cc: Laurence Stinson <laurence@bonnerstinsonpc.net>
Subject: Biles v. Fallon - Schneider Subpoenas

Ms. Hand, attached please find Laurence's letter in the above regard, a copy of which is being sent to you via fax as well.

Thank you.
Suzi

Suzanne Johnson Foote
Legal Assistant to Laurence W. Stinson
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December 2, 2011

SENT VIA EMAIL AND FACSIMILE TRANSMISSION ONLY

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Re: *Biles v. Fallon* – Schneider Subpoenas

Dear Kristeen:

Dr. John and Michelle Schneider have asked me to represent them in regards to subpoenas you issued to them in the above referenced matter. Preliminarily, it does not appear that Ms. Schneider was served yet. Also, the Schneiders are residents of Park County, Wyoming and not Billings, Montana. The Schneiders have objections to the subpoenas on these and other grounds. I would like you to explain the relationship between the *Biles v. Fallon* case and the documents and things you are requesting if you are willing to do so. The subpoenas are broad in their requests. Unless we can reach an agreement on the need and scope of production, I will need to file a Motion to Quash.

Please give me a call Monday to discuss. Thank you, Kristeen.

Very truly yours,

/s/

LAURENCE W. STINSON

LWS/sjf